

C. CHRISTINE MALONEY (SBN 226575)
MALONEY EMPLOYMENT LAW
203 Flamingo Road, Suite 305
Mill Valley, CA 94941
Telephone: (415) 754-8081
Email: christine@maloney-worklaw.com

Attorney for Defendant
CITY OF RICHMOND

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

DAVID BATISTE,)	Case No. 4:22-CV-01188 HSG
)	
Plaintiff,)	STIPULATION AND ORDER PURSUANT
vs.)	TO LOCAL RULE 6-2 TO CHANGE THE
)	TIME OF SUMMARY JUDGMENT
CITY OF RICHMOND; HUGO)	HEARING AND RELATED FILING
MENDOZA; TIM HIGARES; and DOES)	DEADLINES
1-50,)	
)	Complaint Filed: 2/25/2022
Defendants.)	Trial Date: 8/21/2023
)	

STIPULATION

Plaintiff David Batiste and Defendants City of Richmond and Hugo Mendoza, by and through their undersigned counsel, hereby stipulate and agree as follows:

1. Following a telephonic case management conference on April 18, 2023 (Dkt. No. 66), counsel for the parties met and conferred to identify a new date for the summary judgment hearing and related filing deadlines.
2. Counsel for the parties stipulate and agree that a summary judgment hearing on any of the following dates is agreeable: June 8, 2023, June 22, 2023, or June 29, 2023.
3. Counsel for the parties further stipulate and agree that the briefing schedule for

summary judgment shall follow Local Rule 7-2, with moving papers due 35 days before the assigned hearing date, the opposition due 14 days after the filing of the moving papers, and the reply due 7 days after the filing of the opposition.

4. The summary judgment hearing date was initially set for May 18, 2023. This request for a change of hearing date was necessitated by the Defendant City of Richmond's inability to obtain a deposition transcript from a court reporter which is essential to its motion for summary judgment. The City's efforts to obtain that transcript and exhibits are detailed in the parties' first stipulation to change the summary judgment hearing date. *See* Dkt. No. 63.

5. There have been no other modifications to the Case Schedule.

IT IS SO STIPULATED.

DATED: April 21, 2023

BRYANT LAW GROUP

/s/ Conrad Wu

Paul L. Alaga
Conrad Wu
Attorneys for Plaintiff
David Batiste

DATED: April 21, 2023

MALONEY EMPLOYMENT LAW

/s/ C. Christine Maloney

C. Christine Maloney
Attorney for Defendant
City of Richmond

DATED: April 21, 2023

ALLEN GLAESSNER HAZELWOOD & WORTH

/s/ Kellen M. Crowe


Peter O. Glaessner
Kellen M. Crowe
Attorneys for Defendant
Hugo Mendoza

ORDER

The Court approves the foregoing stipulation and hereby orders that the hearing date for summary judgment shall be changed from May 18, 2023 to June 8, 2023 at 2:00 p.m. The briefing deadlines shall adhere to Local Rule 7-2.

IT IS SO ORDERED.

DATED: 4/24/2023


Hon. Haywood S. Gilliam, Jr.
United States District Court Judge